



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,681	12/26/2000	Masaki Mukai	MAT-8080US	4648

7590 10/24/2002

Lawrence E. Ashery
RATNER And PRESTIA
One Westlakes, Berwyn Suite 301
P.O. Box 980
Valley Forge, PA 19482-0980

EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
----------	--------------

2674

DATE MAILED: 10/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/747,681	Applicant(s) MUKAI ET AL.	
	Examiner Ronald Laneau	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 21-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7, 11, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamagishi (5,838,926).

As per claims 1 and 3, Yamagishi teaches a data processing for processing data based on a received result of wireless-communication 112, a CPU 140 having a memory, a user's input (scanner unit 218), an image data (image formation 130) as a result of data processing received through said wireless unit 112 (fig. 1).

As per claims 2 and 11, the data processing taught by Yamagishi can actually transmit image data from the wireless unit in a differential portion as claimed.

As per claim 7, Yamagishi teaches an image display apparatus 130 having a first wireless unit 112, a display unit 221 seen in figure 2, an input unit (scanner unit 218), data processing for processing data based on a received result of wireless-communication 112, a CPU 140 having a memory, a user's input (scanner unit 218), an image data (image formation 130) as a result of data processing received through said wireless unit 112 (fig. 1).

As per claim 15, Yamagishi teaches an image display apparatus 130 having a wireless communication unit 112, a display unit 221 for displaying the image data seen in figure 2, an input unit (scanner unit 218), a storage unit 302 for storing the image data, an

Art Unit: 2674

image data (image formation 130) as a result of data processing received through said wireless unit 112 (fig. 1). The control unit 301 seen in figure 3 is actually controlling the storage unit 301 that stores image data and also that displays image data stored in said storage unit (see col. 7, lines 7-15 and col. 8, lines 5-12).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6, 8-10, 12-14, 16, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagishi (5,838,926).

As per claims 4 and 8, see rejection of claim 3. Yamagishi does not explicitly teach a wireless quality measuring unit for measuring a wireless quality but it would have been obvious to one of ordinary skill in the art to utilize a wireless quality measuring unit as claimed because it would provide an image process apparatus which allows a user to have an optimal display quality when processing an image.

As per claims 5, 6, 9, 10, and 18-20, Yamagishi teaches a storage unit 302 for storing image data whether it is temporary or permanent, a display unit 321 which can be turned on and off by a user. Yamagishi does not explicitly teach updating stored image data to a latest image data transmitted from said data processing but it would have been obvious to one of ordinary skill in the art to utilize an updated image data because it would provide the ability to generate high quality updated display for the user.

Art Unit: 2674

As per claims 12-14, the data processing taught by Yamagishi can actually transmit image data from the wireless unit in a differential portion as claimed.

As per claims 16 and 17, Yamagishi teaches an image display apparatus 130 having a wireless communication unit 112, a display unit 221 for displaying the image data seen in figure 2, an input unit (scanner unit 218), a storage unit 302 for storing the image data, an image data (image formation 130) as a result of data processing received through said wireless unit 112 (fig. 1). The control unit 301 seen in figure 3 is actually controlling the storage unit 301 that stores image data and also that displays image data stored in said storage unit (see col. 7, lines 7-15 and col. 8, lines 5-12). Yamagishi does not teach an update image storage control but it would have been obvious to one of ordinary skill in the art to utilize an update image control as claimed because it would provide the ability to generate high quality updated display for the user.

Allowable Subject Matter

5. Claims 21-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the references, either singularly or in combination, teaches or even suggests:

As per claims 21-26, an image display apparatus wherein:

said storage means stores a series of user manipulation of each image data in correspondence to each image data in addition to the image data ,

Art Unit: 2674

said input means further receives the user manipulation of the image data stored in said storage means and displayed in said display means and stores the series temporarily,

said image storage control means stores, in said storage means, the series of the user manipulation stored in said input means in correspondence to the image data in addition to the image data, and

said wireless communication means transmits the user manipulation to said data processing apparatus aside from receiving the image data.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nakatsuka et al (6,356,269), Naito et al (2001/0028727).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is 703-305-3973. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:00 PM or via email: ronald.laneau@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached at 703-305-4709.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

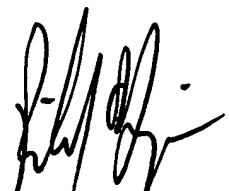
Art Unit: 2674

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ronald Laneau
Examiner
Art Unit 2674



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

rl
October 7, 2002